

# House Study Bill 136

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
NATURAL RESOURCES BILL  
BY CHAIRPERSON BELL)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to regulation of certain conservation and  
2 recreation activities under the jurisdiction of the department  
3 of natural resources, modifying fees, and making penalties  
4 applicable.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
6 TLSB 2094HC 83  
7 av/sc/8

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1 1 Section 1. Section 321G.2, subsection 1, paragraph e, Code  
1 2 2009, is amended to read as follows:  
1 3 e. Establishment of a program of grants, subgrants, and  
1 4 contracts to be administered by the department for the  
1 5 development ~~and delivery of certified courses of instruction~~  
~~1 6 for the safe use and operation of snowmobiles, maintenance,~~  
~~1 7 and operation of designated snowmobile trails and grooming~~  
1 8 equipment by political subdivisions and incorporated private  
1 9 organizations.  
1 10 Sec. 2. Section 321G.2, subsection 1, Code 2009, is  
1 11 amended by adding the following new paragraphs:  
1 12 NEW PARAGRAPH. i. Establishment of a certified education  
1 13 course for the operation of snowmobile grooming equipment.  
1 14 NEW PARAGRAPH. j. Establishment of a certified education  
1 15 course for the safe use and operation of snowmobiles.  
1 16 NEW PARAGRAPH. k. Certification of volunteer snowmobile  
1 17 education instructors.  
1 18 Sec. 3. Section 321G.11, subsection 1, Code 2009, is  
1 19 amended by striking the subsection and inserting in lieu  
1 20 thereof the following:  
1 21 1. The exhaust of every internal combustion engine used in  
1 22 any snowmobile shall be effectively muffled by equipment  
1 23 constructed and used to muffle all snowmobile noise in a  
1 24 reasonable manner in accordance with rules adopted by the  
1 25 commission.  
1 26 Sec. 4. Section 321G.21, subsection 9, Code 2009, is  
1 27 amended to read as follows:  
1 28 9. The ~~department commission~~ may adopt rules consistent  
1 29 with this chapter establishing minimum requirements for  
1 30 dealers. In adopting such rules, the ~~department commission~~  
1 31 shall consider the need to protect persons, property, and the  
1 32 environment and to promote uniformity of practices relating to  
1 33 the sale and use of snowmobiles. The commission may also  
~~1 34 adopt rules providing for the suspension or revocation of a~~  
~~1 35 dealer's special registration certificate issued pursuant to~~  
2 1 this section.  
2 2 Sec. 5. Section 321G.24, subsection 3, Code 2009, is  
2 3 amended to read as follows:  
2 4 3. Any person who is required to have a safety certificate  
2 5 under this chapter and who has completed a course of  
2 6 instruction established under section 321G.2, subsection 1,  
2 7 paragraph "~~e~~" "j", including the successful passage of an  
2 8 examination which includes a written test relating to such  
2 9 course of instruction, shall be considered qualified to ~~apply~~  
~~2 10 for receive~~ a safety certificate. ~~The commission may waive~~  
~~2 11 the requirement of completing such course of instruction if~~  
~~2 12 such person successfully passes a written test based on such~~  
~~2 13 course of instruction.~~  
2 14 Sec. 6. Section 321I.1, subsection 1, paragraph c, Code  
2 15 2009, is amended by striking the paragraph.  
2 16 Sec. 7. Section 321I.1, subsection 16, Code 2009, is

2 17 amended to read as follows:

2 18 16. a. "Off=road utility vehicle" means a motorized  
2 19 flotation=tire vehicle with not less than four and not more  
2 20 than ~~six~~ eight low=pressure tires that is limited in engine  
2 21 displacement to less than one thousand five hundred cubic  
2 22 centimeters and in total dry weight to not more than one  
2 23 thousand eight hundred pounds and that has a seat that is of  
2 24 bucket or bench design, not intended to be straddled by the  
2 25 operator, and a steering wheel or control levers for control.

2 26 b. ~~An owner of an off=road utility vehicle may register or~~  
2 27 ~~title an off=road utility vehicle in order to legally operate~~  
2 28 ~~the off=road vehicle on public ice, a designated riding area,~~  
2 29 ~~or a designated riding trail. The operator of an off=road~~  
2 30 ~~utility vehicle is subject to provisions governing the~~  
2 31 ~~operation of all=terrain vehicles in section 321.234A and this~~  
2 32 ~~chapter, but is exempt from the safety instruction and~~  
2 33 ~~certification program requirements of sections 321I.25 and~~  
2 34 ~~321I.26. An operator of an off=road utility vehicle shall not~~  
2 35 ~~operate the vehicle on a designated riding area or designated~~  
3 1 ~~riding trail unless the department has posted signage~~  
3 2 ~~indicating the riding area or trail is open to the operation~~  
3 3 ~~of off=road utility vehicles. Off=road utility vehicles are~~  
3 4 ~~exempt from the dealer registration and titling requirements~~  
3 5 ~~of this chapter. A motorized vehicle that was previously~~  
3 6 ~~titled or is currently titled under chapter 321 shall not be~~  
3 7 ~~registered or operated as an off=road utility vehicle.~~

3 8 Sec. 8. Section 321I.2, subsection 1, paragraph e, Code  
3 9 2009, is amended to read as follows:

3 10 e. Establishment of a program of grants, subgrants, and  
3 11 contracts to be administered by the department for the  
3 12 development and delivery of certified courses of instruction  
3 13 ~~for the safe use and operation of all=terrain vehicles,~~  
3 14 ~~maintenance, and operation of designated all=terrain vehicle~~  
3 15 ~~riding areas and trails by political subdivisions and~~  
3 16 ~~incorporated private organizations.~~

3 17 Sec. 9. Section 321I.2, subsection 1, paragraph i, Code  
3 18 2009, is amended by striking the paragraph and inserting in  
3 19 lieu thereof the following:

3 20 i. Establishment of a certified education course for the  
3 21 safe use and operation of all=terrain vehicles.

3 22 Sec. 10. Section 321I.2, subsection 1, Code 2009, is  
3 23 amended by adding the following new paragraph:

3 24 NEW PARAGRAPH. j. Certification of volunteer all=terrain  
3 25 vehicle education instructors.

3 26 Sec. 11. Section 321I.22, subsection 9, Code 2009, is  
3 27 amended to read as follows:

3 28 9. The ~~department~~ commission may adopt rules consistent  
3 29 with this chapter establishing minimum requirements for  
3 30 dealers. In adopting such rules, the department shall  
3 31 consider the need to protect persons, property, and the  
3 32 environment and to promote uniformity of practices relating to  
3 33 the sale and use of all=terrain vehicles. The commission may  
3 34 also adopt rules providing for the suspension or revocation of  
3 35 a dealer's special registration certificate issued pursuant to  
4 1 this section.

4 2 Sec. 12. Section 321I.26, subsection 3, Code 2009, is  
4 3 amended to read as follows:

4 4 3. Any person who is required to have a safety certificate  
4 5 under this chapter and who has completed a course of  
4 6 instruction established under section 321I.2, subsection 1,  
4 7 paragraph ~~"e"~~ "i", including the successful passage of an  
4 8 examination which includes either a written test relating to  
4 9 such course of instruction or the demonstration of adequate  
4 10 riding skills, shall be considered qualified to apply for  
4 11 receive a safety certificate. The commission may waive the  
4 12 requirement of completing such course of instruction if such  
4 13 person successfully passes a written test based on such course  
4 14 of instruction.

4 15 Sec. 13. Section 481A.122, Code 2009, is amended by adding  
4 16 the following new subsection:

4 17 NEW SUBSECTION. 3. This section is not applicable to a  
4 18 person who is legally hunting with a raptor.

4 19 Sec. 14. Section 481A.130, subsection 1, paragraphs d and  
4 20 e, Code 2009, are amended to read as follows:

4 21 d. For each ~~fish~~, reptile, mussel, or amphibian, fifteen  
4 22 dollars.

4 23 e. For each beaver, bobcat, mink, otter, red fox, gray  
4 24 fox, or raccoon, two hundred dollars.

4 25 Sec. 15. Section 481A.130, subsection 1, Code 2009, is  
4 26 amended by adding the following new paragraph:

4 27 NEW PARAGRAPH. i. For each fish, reimbursement shall be

4 28 as follows:

4 29 (1) For each fish of a species other than shovelnose  
4 30 sturgeon, with an established daily limit greater than  
4 31 twenty-five, fifteen dollars.

4 32 (2) For each fish of a species other than paddlefish and  
4 33 muskellunge, with an established daily limit of twenty-five or  
4 34 less, fifty dollars.

4 35 (3) For each shovelnose sturgeon, paddlefish, and  
5 1 muskellunge, one thousand dollars.

5 2 Sec. 16. Section 481A.130, Code 2009, is amended by adding  
5 3 the following new subsection:

5 4 NEW SUBSECTION. 4. This section does not apply to a  
5 5 person who is liable to pay restitution to the department  
5 6 pursuant to section 481A.151 for injury to a wild animal  
5 7 caused by polluting a water of this state in violation of  
5 8 state law.

5 9 Sec. 17. Section 482.1, Code 2009, is amended to read as  
5 10 follows:

5 11 482.1 AUTHORITY OF THE COMMISSION.

5 12 1. The natural resource commission shall observe,  
5 13 administer, and enforce this chapter. The natural resource  
5 14 commission may adopt and enforce rules under chapter 17A as  
5 15 necessary to carry out this chapter.

5 16 2. The natural resource commission may:

5 17 ~~1-~~ a. Remove or cause to be removed from the waters of the  
5 18 state any aquatic species that in the judgment of the  
5 19 commission is an underused renewable resource or has a  
5 20 detrimental effect on other aquatic populations. All proceeds  
5 21 from a sale of these aquatic organisms shall be credited to  
5 22 the state fish and game protection fund.

5 23 ~~2-~~ b. Issue to any person a permit or license authorizing  
5 24 that person to take, possess, and sell underused, undesirable,  
5 25 or injurious aquatic organisms from the waters of the state.  
5 26 The person receiving a permit or license shall comply with the  
5 27 applicable provisions of this chapter.

5 28 ~~3-~~ c. Authorize the director to enter into written  
5 29 contracts for the removal of underused, undesirable, or  
5 30 injurious organisms from the waters of the state. The  
5 31 contracts shall specify all terms and conditions desired.  
5 32 Sections 482.4, 482.6, and 482.14 do not apply to these  
5 33 contracts.

5 34 ~~4-~~ d. Prohibit, restrict, or regulate commercial fishing,  
5 35 commercial turtle fishing, and commercial mussel bait fishing  
6 1 in any waters of the state.

6 2 ~~5-~~ e. Revoke the license of a licensee ~~and the licensee's~~  
~~6 3 designated operators~~ for up to one year if the licensee ~~or any~~  
~~6 4 designated operator~~ has been convicted of a violation of  
6 5 chapter 481A, 482, or 483A. A licensee shall not continue  
6 6 commercial fishing while a license issued by the natural  
6 7 resource commission is under revocation or suspension.

6 8 ~~6-~~ f. Regulate the numbers of commercial fishers, ~~and~~  
6 9 commercial turtle fishers, ~~and commercial mussel fishers~~ and  
6 10 the amount, type, seasonal use, mesh size, construction and  
6 11 design, manner of use, and other criteria relating to the use  
6 12 of commercial gear for any body of water or part thereof.

6 13 ~~7-~~ g. Establish catch quotas, seasons, size limits, and  
6 14 other regulations for any species of commercial fish, ~~or~~  
6 15 turtles, ~~or mussels~~ for any body of water or part thereof.

6 16 ~~8-~~ h. Designate by listing species as commercial fish, ~~or~~  
6 17 turtles, ~~or mussels~~.

6 18 ~~9-~~ i. Designate any body of water or its part as protected  
6 19 habitat and restrict, prohibit, or otherwise regulate the  
6 20 taking of commercial fish, ~~and turtles, and mussels~~ in  
6 21 protected habitat areas.

6 22 3. Employees of the ~~commission~~ department may lift and  
6 23 inspect any commercial gear at any time when being used and  
6 24 may inspect commercial catches, commercial markets, and  
6 25 landings, and examine ~~catch sale and purchase records of~~  
6 26 commercial fishers, commercial turtle fishers, ~~and commercial~~  
6 27 ~~mussel fishers roe harvesters, commercial fish buyers,~~  
6 28 ~~commercial turtle buyers, and commercial roe buyers~~ upon  
6 29 demand.

6 30 4. ~~Officers~~ Employees of the ~~commission~~ department may  
6 31 seize and retain as evidence any illegal fish, ~~or turtles, or~~  
~~6 32 mussels,~~ or any illegal commercial gear, or any other personal  
6 33 property used in violation of any provision of the Code, and  
6 34 may confiscate any untagged or illegal commercial gear as  
6 35 contraband.

7 1 Sec. 18. Section 482.2, Code 2009, is amended to read as  
7 2 follows:

7 3 482.2 DEFINITIONS.

7 4 As used in this chapter, unless the context otherwise  
7 5 requires:

7 6 1. "Boundary waters" means the waters of the Mississippi,  
7 7 Missouri, and Big Sioux rivers.

7 8 2. "Commercial fish buyer" means a person who is licensed  
7 9 by the state to engage in the business of buying, selling,  
7 10 bartering, or trading fish, roe or roe species, or fish parts  
7 11 from a commercial fisher.

7 12 3. "Commercial fish helper" means a person who is licensed  
7 13 by the state to assist a commercial fisher in operating  
7 14 commercial gear or in taking, attempting to take, possessing,  
7 15 processing, or transporting commercial fish or turtles.

7 16 ~~2.~~ 4. "Commercial fisher" means a person who is licensed  
7 17 by the state to take and sell fish from waters of the state,  
7 18 attempt to take, possess, process, transport, sell, barter, or  
7 19 trade commercial fish, roe or roe species, or fish parts, or  
7 20 turtles, turtle eggs, or turtle parts.

7 21 ~~3.~~ 5. "Commercial fishing" means taking, attempting to  
7 22 take, possessing, processing, or transporting of commercial  
7 23 fish or turtles for the purpose of selling, bartering,  
7 24 exchanging trading, offering, or exposing for sale.

7 25 ~~4.~~ 6. "Commercial gear" means the capturing equipment  
7 26 used by commercial fishers, and commercial turtle fishers, and  
7 27 commercial mussel fishers.

7 28 ~~5.~~ "Commercial mussel fisher" means a person who is  
7 29 licensed to take and sell freshwater mussels from waters of  
7 30 the state. A resident commercial mussel license holder must  
7 31 have resided in this state for one year preceding the person's  
7 32 application for a commercial mussel fishing license.

7 33 6. "Commercial mussel fishing" means taking, attempting to  
7 34 take, or transporting of freshwater mussels for the purpose of  
7 35 selling, bartering, exchanging, offering, or exposing for  
8 1 sale.

8 2 7. "Commercial roe buyer" means a person who is licensed  
8 3 by the state to engage in the business of buying, selling,  
8 4 bartering, or trading of roe and roe species.

8 5 8. "Commercial roe harvester" means a person who is  
8 6 licensed by the state to engage in the harvest and sale,  
8 7 barter, or trade of roe and roe species.

8 8 ~~7.~~ 9. "Commercial species" means species of fish, and  
8 9 turtles, and freshwater mussels which may be lawfully taken  
8 10 and sold by commercial fishers, and commercial turtle fishers,  
8 11 and commercial mussel fishers, as established by rule by the  
8 12 commission.

8 13 10. "Commercial turtle buyer" means a person who is  
8 14 licensed by the state to engage in the business of buying,  
8 15 selling, bartering, or trading commercial turtles, turtle  
8 16 eggs, or turtle parts.

8 17 ~~8.~~ 11. "Commercial turtle fisher" means a person who is  
8 18 licensed by the state to take, attempt to take, possess,  
8 19 process, transport, and sell, barter, or trade commercial  
8 20 turtles from the waters of the state, turtle eggs, or turtle  
8 21 parts.

8 22 ~~9.~~ 12. "Commercial turtle fishing" means taking,  
8 23 attempting to take, possessing, processing, or transporting of  
8 24 commercial turtles, turtle eggs, or turtle parts for the  
8 25 purpose of selling, bartering, exchanging trading, offering,  
8 26 or exposing for sale.

8 27 13. "Commercial turtle helper" means a person who is  
8 28 licensed by the state to assist a commercial turtle fisher in  
8 29 operating commercial gear, or in taking, attempting to take,  
8 30 possessing, processing, or transporting commercial turtles,  
8 31 turtle eggs, or turtle parts.

8 32 ~~10.~~ 14. "Constant attendance" means the presence of a  
8 33 commercial fisher or a designated operator whenever commercial  
8 34 gear is in use.

8 35 ~~11.~~ 15. "Director" means the director of the department  
9 1 of natural resources, and the director's duly authorized  
9 2 assistants, deputies, or agents.

9 3 ~~12.~~ 16. "Game fish" means all species and size categories  
9 4 of fish not included as "commercial species" or minnows.

9 5 ~~13.~~ 17. "Inland waters of the state" means all public  
9 6 waters of the state excluding the boundary waters of the  
9 7 Mississippi, Big Sioux, and Missouri rivers.

9 8 ~~14.~~ 18. "Licensed commercial gear" means any commercial  
9 9 gear that is licensed as provided in this chapter and that,  
9 10 when in use, has attached the proper tags attached as provided  
9 11 by this chapter.

9 12 ~~15.~~ 19. "Nonresident or alien" means a person who does  
9 13 not qualify as a resident of the state of Iowa either because  
9 14 of a bona fide residence in another state or because of

9 15 citizenship of a country other than the United States.  
9 16 However, "alien" does not include a person who has applied for  
9 17 naturalization papers.  
9 18 ~~16-~~ 20. "Resident" means a person who is legally subject  
9 19 to motor vehicle registration and driver's license laws of  
9 20 this state, or who is qualified to vote in an election of this  
9 21 state.

9 22 21. "Roe" means fish eggs.  
9 23 22. "Roe species" means fish harvested for their eggs.  
9 24 Roe species include but are not limited to shovelnose sturgeon  
9 25 and bowfin and any other fish defined as roe species by the  
9 26 commission by rule.

9 27 ~~17-~~ 23. "Waters of the state" means all of the waters  
9 28 under the jurisdiction of the state.  
9 29 Sec. 19. Section 482.4, Code 2009, is amended to read as  
9 30 follows:

9 31 482.4 COMMERCIAL LICENSES AND GEAR TAGS.  
9 32 1. A person shall not use or operate commercial gear  
9 33 unless at least one individual at the site where the  
9 34 commercial gear is being operated possesses an appropriate  
9 35 valid commercial license, ~~or a designated operator's license.~~  
10 1 A commercial license is valid from the date of issue to  
10 2 January 10 of the succeeding calendar year.

10 3 2. A commercial fisher may designate a person as a  
~~10 4 designated operator to lift and to fish with any licensed~~  
~~10 5 commercial fishing gear owned by the commercial fisher. A~~  
~~10 6 commercial fisher shall not have more than five designated~~  
~~10 7 operators. A designated operator's license shall be assigned~~  
~~10 8 to not more than three operators during a year and a~~  
~~10 9 designated operator's license shall be valid for use only by~~  
~~10 10 an operator who possesses the license and has signed the~~  
~~10 11 license. The signature of any preceding designated operator~~  
~~10 12 who possessed the license shall be crossed out. A designated~~  
~~10 13 operator shall not lift or fish any commercial fishing gear~~  
~~10 14 without possessing a designated operator's license which is~~  
~~10 15 signed by the operator. A designated operator's license which~~  
~~10 16 is not signed by the operator in possession of the license is~~  
~~10 17 forfeited to the state. Only residents of those states that~~  
~~10 18 allow Iowa residents to purchase a nonresident commercial~~  
~~10 19 fishing license are eligible to purchase a nonresident~~  
~~10 20 commercial fishing license in this state.~~

10 21 3. A boundary water annual sport trotline license permits  
~~10 22 the licensee to use a maximum of four trotlines with two~~  
~~10 23 hundred hooks in the aggregate. All boundary water sport~~  
~~10 24 trotlines shall be tagged with the name and address of the~~  
~~10 25 licensee on a metal tag affixed above the waterline. A~~  
~~10 26 commercial fisher who harvests shovelnose sturgeon and bowfin~~  
~~10 27 species shall possess a valid commercial fishing license and a~~  
~~10 28 valid commercial roe harvester license.~~

10 29 4. A commercial roe harvester shall submit monthly harvest  
~~10 30 reports to the department during the harvest season. A~~  
~~10 31 commercial roe harvester shall sell only to a commercial~~  
~~10 32 roe buyer. A commercial roe harvester shall not possess roe~~  
~~10 33 more than five days after the conclusion of the harvest season~~  
~~10 34 without possessing a commercial roe buyer's license.~~

10 35 5. A commercial roe buyer shall submit a monthly roe  
11 1 purchase report to the department.

11 2 ~~4-~~ 6. Commercial fishers and commercial turtle fishers  
11 3 shall purchase gear tags from the commission to be affixed to  
11 4 each piece of gear in use. Notwithstanding the fee rates for  
11 5 gear tags ~~of~~ under subsection ~~7~~ 9, the minimum fee for a gear  
11 6 tag is five dollars. All tags are valid for ten years from  
11 7 the date of issue. In addition to the gear tags, all gear  
11 8 shall be tagged with a ~~metal~~ weather-resistant tag showing the  
11 9 name and address of the licensee and whether the gear is fish  
11 10 or turtle gear.

11 11 ~~5-~~ 7. All numbered fish gear tags are interchangeable  
11 12 among the different types of commercial fishing gear.

11 13 ~~6-~~ 8. Annual license fees are as follows:

11 14	<del>a.</del> <u>a.</u> Commercial fish buyer, resident	\$ 200.00
11 15	<del>b.</del> <u>b.</u> Commercial fish buyer, nonresident	\$ 400.00
11 16	<del>a. c.</del> <u>c.</u> Commercial fishing fisher, resident	\$ 200.00
11 17	<del>b. d.</del> <u>d.</u> Commercial fishing fisher, nonresident	\$ 400.00
11 18	<del>c. e.</del> <u>e.</u> Designated operator Commercial fish	
11 19	<del>helper, resident</del>	\$ 50.00
11 20	<del>d. f.</del> <u>f.</u> Designated operator Commercial fish	
11 21	<del>helper, nonresident</del>	\$ 100.00
11 22	<u>g.</u> Commercial roe buyer, resident	\$ 250.00
11 23	<u>h.</u> Commercial roe buyer, nonresident	\$ 500.00
11 24	<u>i.</u> Commercial roe harvester, resident	\$ 50.00
11 25	<u>j.</u> Commercial roe harvester, nonresident	\$3,500.00

11	26	<u>k. Commercial turtle buyer, resident</u>	\$ 200.00
11	27	<u>l. Commercial turtle buyer, nonresident</u>	\$ 400.00
11	28	<del>e- m. Commercial turtle fisher, resident</del>	<del>\$ 50.00</del>
11	29		<u>100.00</u>
11	30	<del>f- n. Commercial turtle fisher, nonresident</del>	<del>\$ 100.00</del>
11	31		<u>400.00</u>
11	32	<del>g- o. Commercial mussel fisher turtle helper,</del>	
11	33	resident	\$ 100.00
11	34		<u>50.00</u>
11	35	<del>h- p. Commercial mussel buyer, resident</del>	<del>\$1,000.00</del>
12	1	<u>turtle helper, nonresident</u>	<u>100.00</u>
12	2	<del>i. Commercial mussel buyer, nonresident</del>	<del>\$5,000.00</del>
12	3	<del>j. Boundary water sport trotline, resident</del>	<del>\$ 10.00</del>
12	4	<del>k. Boundary water sport trotline, nonresident</del>	<del>\$ 20.00</del>
12	5	<del>l. Commercial mussel fisher, nonresident</del>	<del>\$2,500.00</del>
12	6	<del>m. Commercial mussel helper, resident</del>	<del>\$ 50.00</del>
12	7	<del>n. Commercial mussel helper, nonresident</del>	<del>\$ 200.00</del>
12	8	<del>7- 9. Commercial fish gear tags are required on the</del>	
12	9	following units of commercial fishing gear at the listed fee:	
12	10	a. Seine, resident, one gear tag for each	
12	11	100 feet or fraction thereof	\$ 1.00
12	12	b. Seine, nonresident, one gear tag for	
12	13	each 100 feet or fraction thereof	\$ 2.00
12	14	c. Trammel net, resident, one gear tag	
12	15	for each 100 feet or fraction thereof	\$ 1.00
12	16	d. Trammel net, nonresident, one gear	
12	17	tag for each 100 feet or fraction thereof	\$ 2.00
12	18	e. Gill net, resident, one gear tag for	
12	19	each 100 feet or fraction thereof	\$ 1.00
12	20	f. Gill net, nonresident, one gear tag	
12	21	for each 100 feet or fraction thereof	\$ 2.00
12	22	g. Entrapment nets, resident, one	
12	23	gear tag per net	\$ 1.00
12	24	h. Entrapment nets, nonresident, one	
12	25	gear tag per net	\$ 2.00
12	26	i. Commercial trotline, resident, one	
12	27	gear tag for each 50 hooks or less	\$ 1.00
12	28	j. Commercial trotline, nonresident,	
12	29	one gear tag for each 50 hooks or less	\$ 2.00
12	30	<del>8- 10. Turtle trap gear tags are not interchangeable with</del>	
12	31	other commercial gear. Turtle trap gear tag fees are as	
12	32	follows:	
12	33	a. Commercial turtle trap, resident,	
12	34	one gear tag per trap	\$ 1.00
12	35	b. Commercial turtle trap, nonresident,	
13	1	one gear tag per trap	\$ 2.00
13	2	Sec. 20. Section 482.5, Code 2009, is amended to read as	
13	3	follows:	
13	4	482.5 COMMERCIAL GEAR.	
13	5	It is lawful for a person who is legally licensed to	
13	6	<u>harvest commercial fish or commercial turtles to use the</u>	
13	7	<u>commercial fishing gear of a design, construction, size,</u>	
13	8	<u>season, and all other criteria established by the commission</u>	
13	9	<u>for taking those species of fish and turtles designated by the</u>	
13	10	<u>commission by rule.</u>	
13	11	Sec. 21. Section 482.7, Code 2009, is amended to read as	
13	12	follows:	
13	13	482.7 GEAR ATTENDANCE.	
13	14	<u>1. The A commercial fisher or commercial turtle fisher</u>	
13	15	<u>licensee or a designated operator must be present when lifting</u>	
13	16	<u>commercial gear is operated. A commercial fish helper or</u>	
13	17	<u>commercial turtle helper shall not operate commercial gear</u>	
13	18	<u>except under the direct supervision of a commercial fisher or</u>	
13	19	<u>commercial turtle fisher. A nonresident commercial turtle</u>	
13	20	<u>helper is licensed only to assist a licensed resident or</u>	
13	21	<u>nonresident commercial turtle fisher. Commercial gear shall</u>	
13	22	<u>be lifted and emptied of catch as provided by the rules of the</u>	
13	23	<u>commission. Constant attendance by the licensee or a</u>	
13	24	<u>designated operator commercial fisher or commercial turtle</u>	
13	25	<u>fisher of seines, trammel nets, and gill nets is required when</u>	
13	26	<u>the gear is fished by driving, drive-seining, seining,</u>	
13	27	<u>floating, or drifting methods. Officers of the commission</u>	
13	28	<u>shall may grant a reasonable extension of gear attendance</u>	
13	29	<u>intervals in cases of inclement weather or unsafe conditions</u>	
13	30	<u>only upon the request of a commercial fisher or commercial</u>	
13	31	<u>turtle fisher specifying why such an extension is necessary.</u>	
13	32	<u>2. For the purposes of this section, "direct supervision"</u>	
13	33	<u>means that a commercial fisher or commercial turtle fisher</u>	
13	34	<u>must be in the same boat, within hand-signal distance, or</u>	
13	35	<u>within vocal communication distance, without the help of any</u>	
14	1	<u>electronic or amplifying device, of the commercial fish helper</u>	

14 2 or commercial turtle helper being supervised.

14 3 Sec. 22. Section 482.8, subsection 1, Code 2009, is  
14 4 amended to read as follows:

14 5 1. It is lawful for licensed commercial fishers,  
~~14 6 designated operators, and commercial turtle fishers, and~~  
~~14 7 licensed sport trotline fishers~~ to pursue, take, possess,  
14 8 process, and transport any commercial fish or their parts,  
14 9 bait fish, turtles, frogs, salamanders, leeches, crayfish, or  
14 10 any other aquatic invertebrates for bait unless otherwise  
14 11 prohibited by law.

14 12 Sec. 23. Section 482.9, subsection 4, Code 2009, is  
14 13 amended to read as follows:

14 14 4. For a person to lift or to fish licensed commercial  
14 15 gear of another person, except by the licensee ~~and the~~  
~~14 16 licensee's designated operators.~~

14 17 Sec. 24. Section 482.10, Code 2009, is amended to read as  
14 18 follows:

14 19 482.10 ~~SALE OF COMMERCIAL~~ COMMERCIAL FISH.

14 20 1. ~~A person possessing a~~ All persons who commercially  
~~14 21 take, attempt to take, possess, process, transport, sell,~~  
~~14 22 barter, trade, or buy commercial fish or their parts shall~~  
~~14 23 possess an appropriate, valid commercial fishing license or~~  
~~14 24 designated operator's license may possess and sell any~~  
14 25 commercial fish, turtles, or freshwater mussels, or their  
14 26 parts, which have been lawfully taken. This subsection does  
14 27 not apply to an individual who buys commercial fish or their  
14 28 parts from a commercial fisher for personal consumption.

14 29 a. A commercial fisher license is required to operate  
14 30 commercial fishing gear and to take, attempt to take, possess,  
14 31 process, transport, or sell any commercial fish, commercial  
14 32 turtles, turtle eggs, or turtle parts.

14 33 b. A commercial fish helper license is required to assist  
14 34 a commercial fisher in operating commercial fishing gear and  
14 35 in taking, attempting to take, possessing, processing, or  
15 1 transporting commercial fish, commercial turtles, turtle eggs,  
15 2 or turtle parts. A commercial fish helper is not permitted to  
15 3 buy, sell, barter, or trade commercial fish, commercial  
15 4 turtles, turtle eggs, or turtle parts. A commercial fish  
15 5 helper license is not required for a person under sixteen  
15 6 years of age to assist a commercial fisher as provided in this  
15 7 paragraph "b".

15 8 c. A commercial fish buyer license is required to buy,  
15 9 sell, barter, or trade fish, roe or roe species, or fish  
15 10 parts. This paragraph does not apply to restaurants; licensed  
15 11 premises where alcoholic beverages, wine, or beer are sold or  
15 12 consumed under authority of a liquor control license, wine  
15 13 permit, or beer permit; and public benefit corporations exempt  
15 14 from federal income taxation under section 501 of the Internal  
15 15 Revenue Code, or any successor section, that buy commercial  
15 16 fish or fish parts for retail sale and human consumption on  
15 17 their premises.

15 18 d. A commercial roe harvester license is required to  
15 19 harvest, possess, process, transport, or sell roe or roe  
15 20 species or their parts. A commercial roe harvester is not  
15 21 permitted to buy, barter, or trade roe or roe species or  
15 22 turtle parts unless in possession of a valid roe buyer  
15 23 license.

15 24 e. A commercial roe buyer license is required to buy,  
15 25 sell, barter, or trade roe or roe species. This paragraph  
15 26 does not apply to restaurants; licensed premises where  
15 27 alcoholic beverages, wine, or beer are sold or consumed under  
15 28 authority of a liquor control license, wine permit, or beer  
15 29 permit; and public benefit corporations exempt from federal  
15 30 income taxation under section 501 of the Internal Revenue  
15 31 Code, or any successor section, that buy roe or roe species  
15 32 for retail sale and human consumption on their premises or to  
15 33 an individual who buys roe or roe species from a commercial  
15 34 roe harvester for personal consumption.

15 35 2. All intrastate and interstate shipments of commercial  
16 1 fish, or turtles, or roe or roe species, must be accompanied  
16 2 by a label which shows the name and address of the seller and  
16 3 the kinds and pounds of the catches being sold. Individuals  
~~16 4 purchasing fish, turtles, or mussels from a commercial fisher,~~  
~~16 5 turtle fisher, or mussel fisher need not possess a license.~~

16 6 Sec. 25. Section 482.11, subsections 1 and 3, Code 2009,  
16 7 are amended to read as follows:

16 8 1. ~~A person shall not~~ All persons who commercially take,  
16 9 attempt to take, possess, process, transport, or sell turtles,  
16 10 turtle eggs from the waters of the state without, or turtle  
16 11 parts shall possess an appropriate, valid commercial license.  
16 12 This subsection does not apply to an individual who buys

~~16 13 turtles, turtle eggs, or turtle parts from a commercial fisher  
16 14 or a commercial turtle fisher for personal consumption.~~

~~16 15 a. A valid sport fishing license entitles a person  
16 16 commercial turtle fisher license is required to operate  
16 17 commercial turtle fishing gear and to take and, attempt to  
16 18 take, possess a maximum of one hundred pounds of live turtles  
16 19 or fifty pounds of dressed turtles, process, transport, sell,  
16 20 barter, or trade commercial turtles, turtle eggs, or turtle  
16 21 parts. The sale of live or dressed turtles is not permitted  
16 22 with a sport fishing license. Nonresident commercial turtle  
16 23 fishers shall harvest commercial turtles only from the  
16 24 boundary waters.~~

~~16 25 b. A commercial turtle helper license is required to take  
16 26 and possess more than one hundred pounds of live or fifty  
16 27 pounds of dressed turtles. The holder of assist a commercial  
16 28 turtle license may sell live or dressed turtles fisher in  
16 29 operating commercial turtle fishing gear, and in taking,  
16 30 attempting to take, possessing, processing, or transporting  
16 31 commercial turtles, turtle eggs, or turtle parts. A  
16 32 commercial turtle helper is not permitted to buy, sell,  
16 33 barter, or trade commercial turtles, turtle eggs, or turtle  
16 34 parts. A commercial turtle helper license is not required for  
16 35 a person under sixteen years of age to assist a commercial  
17 1 turtle fisher as provided in this paragraph "b".~~

~~17 2 c. A commercial turtle buyer license is required to engage  
17 3 in the business of buying, selling, bartering, or trading  
17 4 commercial turtles, turtle eggs, or turtle parts. This  
17 5 provision does not apply to restaurants; licensed premises  
17 6 where alcoholic beverages, wine, or beer are sold or consumed  
17 7 under authority of a liquor control license, wine permit, or  
17 8 beer permit; and public benefit corporations exempt from  
17 9 federal income taxation under section 501 of the Internal  
17 10 Revenue Code, or any successor section, that buy commercial  
17 11 turtles, turtle eggs, or turtle parts for retail sale and  
17 12 human consumption on their premises.~~

~~17 13 e. d. A commercial fishing fisher license or a designated  
17 14 operator's license entitles commercial fishers to operate any  
17 15 licensed commercial fishing gear for taking, possessing, or  
17 16 selling and to take, attempt to take, possess, process, and  
17 17 sell, barter, or trade turtles, turtle eggs, or turtle parts,  
17 18 taken with such commercial fishing gear.~~

~~17 19 d. An individual possessing a valid commercial turtle  
17 20 license may have the assistance of one unlicensed individual  
17 21 in the commercial taking of turtles.~~

~~17 22 3. The method of taking turtles shall only be by hand,  
17 23 hook=and=line, turtle hook, turtle trap, licensed commercial  
17 24 fishing gear, or other means designated by commission rules.  
17 25 Sport fishers may also use hook-and-line in catching turtles.~~

~~17 26 Sec. 26. Section 482.11, subsection 4, Code 2009, is  
17 27 amended by striking the subsection.~~

~~17 28 Sec. 27. Section 482.12, subsection 1, Code 2009, is  
17 29 amended by striking the subsection and inserting in lieu  
17 30 thereof the following:~~

~~17 31 1. A commercial fisher licensee or commercial fish helper  
17 32 licensee is permitted to take or possess up to twenty-four  
17 33 whole freshwater mussels or forty-eight mussel shell halves.  
17 34 A commercial fisher licensee or commercial fish helper  
17 35 licensee is not permitted to buy, sell, barter, or trade  
18 1 freshwater mussels or mussel shells. Only mussels designated  
18 2 by the department, by rule, as a legal bait species, may be  
18 3 taken or possessed pursuant to this subsection.~~

~~18 4 Sec. 28. Section 482.14, Code 2009, is amended to read as  
18 5 follows:~~

~~18 6 482.14 REPORTS AND RECORDS REQUIRED == INSPECTIONS.~~

~~18 7 1. All commercial fishers, commercial turtle fishers,  
18 8 commercial mussel fishers roe harvesters, and commercial  
18 9 mussel roe buyers shall submit a monthly report supplying all  
18 10 information requested on forms furnished by the commission.  
18 11 Reports must be received by the commission no later than the  
18 12 fifteenth day of the following month.~~

~~18 13 2. Commercial fish buyers and commercial turtle buyers  
18 14 shall maintain accurate records of all transactions. The  
18 15 records shall contain the number, weight, and species of fish  
18 16 or turtles purchased, the name and address of the seller, and  
18 17 the county or pools where the fish or turtles were taken. The  
18 18 records shall be updated monthly. Such records shall be  
18 19 available for examination by employees of the department upon  
18 20 request.~~

~~18 21 3. Commercial roe buyers shall utilize a receipt with at  
18 22 least two parts, with one original and at least one copy of  
18 23 each receipt, for each purchase of commercial roe species and~~

18 24 roe. The original of the receipt shall be kept by the  
18 25 commercial roe buyer and a copy of the receipt shall be given  
18 26 to the commercial roe harvester selling the commercial roe  
18 27 species or roe. Commercial roe buyers and commercial roe  
18 28 harvesters shall retain such receipts for five years following  
18 29 the date of the transaction.

18 30 4. Facilities and records of commercial fish buyers,  
18 31 commercial turtle buyers, commercial roe harvesters, and  
18 32 commercial roe buyers shall be open at all reasonable times  
18 33 for inspection by any conservation officer.

18 34 Sec. 29. Section 483A.1, subsection 1, Code 2009, is  
18 35 amended by adding the following new paragraph:

19 1 NEW PARAGRAPH. u. Boundary waters sport  
19 2 trotline license, annual \$ 20.50

19 3 Sec. 30. Section 483A.1, subsection 2, Code 2009, is  
19 4 amended by adding the following new paragraph:

19 5 NEW PARAGRAPH. w. Boundary waters sport  
19 6 trotline license, annual \$ 40.50

19 7 Sec. 31. Section 483A.1A, Code 2009, is amended by adding  
19 8 the following new subsection:

19 9 NEW SUBSECTION. 0A. "Boundary waters" means the waters of  
19 10 the Mississippi, Missouri, and Big Sioux rivers.

19 11 Sec. 32. NEW SECTION. 483A.28 NONCOMMERCIAL HARVEST OF  
19 12 AQUATIC SPECIES.

19 13 1. A boundary waters sport trotline license entitles the  
19 14 licensee to use a maximum of four trotlines with two hundred  
19 15 hooks in the aggregate and only on boundary waters. All  
19 16 boundary waters sport trotlines shall be tagged with the name  
19 17 and address of the licensee on a weather-resistant tag  
19 18 provided by the licensee and affixed above the waterline. A  
19 19 boundary waters sport trotline licensee is not permitted to  
19 20 sell, barter, or trade fish or turtles taken pursuant to the  
19 21 license.

19 22 2. A valid fishing license issued pursuant to this chapter  
19 23 entitles the licensee to take and possess a maximum of one  
19 24 hundred pounds of live turtles or fifty pounds of dressed  
19 25 turtles. Any unattended fishing gear used to take turtles  
19 26 pursuant to a fishing license shall be tagged with the name  
19 27 and address of the licensee on a weather-resistant tag  
19 28 provided by the licensee and affixed above the waterline. A  
19 29 fishing licensee is not permitted to sell, barter, or trade  
19 30 live or dressed turtles taken pursuant to the license.

19 31 3. A valid fishing license issued pursuant to this chapter  
19 32 entitles the licensee to take and possess a maximum amount of  
19 33 mussels or shells daily as authorized by rule under the  
19 34 authority of sections 456A.24, 481A.38, 481A.39, and 482.1. A  
19 35 fishing licensee shall not sell, barter, or trade freshwater  
20 1 mussels or shells taken pursuant to the fishing license.

20 2 Sec. 33. Section 805.8B, subsection 3, paragraphs c and n,  
20 3 Code 2009, are amended to read as follows:

20 4 c. For violations of sections 481A.6, 481A.21, 481A.22,  
20 5 481A.26, 481A.50, 481A.56, 481A.60 through 481A.62, 481A.83,  
20 6 481A.84, 481A.92, 481A.123, 481A.145, subsection 3, sections  
20 7 482.7, 483A.7, 483A.8, 483A.23, ~~and 483A.24, and 483A.28~~, the  
20 8 scheduled fine is twenty-five dollars.

20 9 n. For violations of section 482.11 ~~relating to turtles~~,  
20 10 ~~the scheduled fine is one hundred dollars.~~

20 11 ~~(1) For commercial turtle violations, the scheduled fine~~  
20 12 ~~is one hundred dollars.~~

20 13 ~~(2) For sport turtle violations, the scheduled fine is~~  
20 14 ~~fifty dollars.~~

20 15 Sec. 34. Section 805.8B, subsection 3, paragraph o, Code  
20 16 2009, is amended by striking the paragraph and inserting in  
20 17 lieu thereof the following:

20 18 o. For violations of section 482.12 relating to mussels,  
20 19 the scheduled fine is one hundred dollars.

20 20 Sec. 35. Section 483A.25, Code 2009, is repealed.

#### 20 21 EXPLANATION

20 22 This bill relates to various conservation and recreation  
20 23 activities under the purview of the department of natural  
20 24 resources, modifies fees, and makes penalties applicable.  
20 25 SNOWMOBILES. Code section 321G.2(1) is amended to allow  
20 26 the natural resource commission to adopt rules for the  
20 27 establishment of a program of grants, subgrants, and contracts  
20 28 for the development, maintenance, and operation of designated  
20 29 snowmobile trails and grooming equipment by political  
20 30 subdivisions and incorporated private organizations; of a  
20 31 certified education course for the operation of snowmobile  
20 32 grooming equipment; of a certified education course for the  
20 33 safe use and operation of snowmobiles; and for certification  
20 34 of volunteer snowmobile education instructors.

20 35 Code section 321G.11 is amended to require that exhaust on  
21 1 internal combustion engines of snowmobiles must be muffled in  
21 2 accordance with rules adopted by the natural resource  
21 3 commission.  
21 4 Code section 321G.21(9) is amended to allow the commission  
21 5 to adopt rules providing for the suspension or revocation of a  
21 6 snowmobile dealer's special registration certificate issued  
21 7 pursuant to this section.  
21 8 Code section 321G.24(3) is amended to coordinate an  
21 9 internal reference with the changes in Code section 321G.2(1),  
21 10 to allow a person who completes a course of safety instruction  
21 11 to receive a safety certificate, and to delete a provision  
21 12 that allowed the commission to waive completion of the safety  
21 13 course if a person passed a written test instead.  
21 14 ALL-TERRAIN VEHICLES. Code section 321I.1(1)(c) is amended  
21 15 by removing a provision requiring off-road utility vehicles to  
21 16 be considered all-terrain vehicles for the purposes of  
21 17 registration.  
21 18 Code section 321I.1(16) is amended to provide that an  
21 19 off-road utility vehicle means a vehicle with not less than  
21 20 four and not more than eight tires, a bucket or bench seat,  
21 21 and a steering wheel or control levers. The amendment also  
21 22 allows an owner of an off-road utility vehicle to register and  
21 23 title an off-road utility vehicle in order to legally operate  
21 24 the vehicle on public ice, or on a designated riding area or  
21 25 riding trail but be exempt from certain dealer registration  
21 26 and titling requirements and safety instruction and  
21 27 certification program requirements. An operator of a  
21 28 registered or titled off-road utility vehicle shall not  
21 29 operate the vehicle on public ice or designated riding areas  
21 30 or trails unless the department has posted signage allowing  
21 31 such operation.  
21 32 Code section 321I.2(1) is amended to allow the commission  
21 33 to adopt rules for the establishment of a program of grants,  
21 34 subgrants, and contracts for the development, maintenance, and  
21 35 operation of all-terrain vehicle riding areas and trails by  
22 1 political subdivisions and incorporated private organizations;  
22 2 of a certified education course for the safe use and operation  
22 3 of all-terrain vehicles; and for certification of volunteer  
22 4 all-terrain vehicle education instructors.  
22 5 Code section 321I.22(9) is amended to allow the adoption of  
22 6 rules by the commission providing for the suspension or  
22 7 revocation of an all-terrain vehicle dealer's special  
22 8 registration certificate.  
22 9 Code section 321I.26(3) is amended to coordinate an  
22 10 internal reference with the changes made in Code section  
22 11 321I.2(1), to allow a person to obtain a safety certificate by  
22 12 passing an examination including either a written test or the  
22 13 demonstration of adequate riding skills, and to delete a  
22 14 provision that allowed the commission to waive completion of  
22 15 the course of instruction upon passage of a written test  
22 16 instead.  
22 17 WILDLIFE CONSERVATION. Code section 481A.122 is amended to  
22 18 exempt a person who is hunting with a raptor from certain  
22 19 requirements to wear blaze orange apparel.  
22 20 Code section 481A.130 is amended to add a civil penalty of  
22 21 \$200 for the unlawful taking of a bobcat and to add a schedule  
22 22 of civil penalties for the unlawful taking of fish, dependent  
22 23 on the species of fish taken. The Code section is also made  
22 24 inapplicable to a person who is liable to pay restitution  
22 25 pursuant to Code section 481A.151 for injury to a wild animal  
22 26 caused by polluting a water of this state.  
22 27 COMMERCIAL FISHING. Code section 482.1 is amended to  
22 28 provide that a licensee under the Code chapter shall not  
22 29 continue commercial fishing while a license issued by the  
22 30 commission is under revocation or suspension, to allow  
22 31 regulation of commercial mussel bait fishing, and to allow  
22 32 employees of the department of natural resources to examine  
22 33 gear, catches, and sale and purchase records of commercial  
22 34 licensees.  
22 35 Code section 482.2 is amended to add definitions of new  
23 1 licenses for commercial fish buyers, commercial fish helpers,  
23 2 commercial roe buyers, commercial roe harvesters, commercial  
23 3 turtle buyers, commercial turtle helpers, and to define roe  
23 4 and roe species. References to commercial mussel fishing are  
23 5 deleted. References to water sport trotline licenses are  
23 6 deleted and moved to Code chapter 483A.  
23 7 Code section 482.4, concerning commercial licenses and gear  
23 8 tags, is amended to describe and set fees for the new licenses  
23 9 available. Annual license fees for some existing licenses are  
23 10 increased, and fees are added for the new licenses available.

23 11 Code section 482.5, concerning commercial gear, is amended  
23 12 to include the harvest of commercial turtles with such gear.  
23 13 Code section 482.7, concerning gear attendance, is amended  
23 14 to apply to commercial turtle fishing and to require the  
23 15 presence of a commercial fisher or commercial turtle fisher  
23 16 when commercial gear is operated, including direct supervision  
23 17 of a commercial fish helper or commercial turtle helper who  
23 18 operates commercial gear. "Direct supervision" is defined to  
23 19 require being in the same boat, within hand=signal distance,  
23 20 or within vocal communication distance, without electronic or  
23 21 amplification devices of the person being supervised. The  
23 22 constant attendance requirement may be modified by the  
23 23 commission upon a request specifying why an extension of gear  
23 24 attendance intervals is needed.  
23 25 Code sections 482.8, concerning bait, and 482.9, concerning  
23 26 unlawful methods, are amended to coordinate with the new  
23 27 license designations.  
23 28 Code section 482.10, concerning commercial fish, is amended  
23 29 to describe the privileges associated with commercial fisher  
23 30 and fish helper licenses, and commercial roe harvester and roe  
23 31 buyer licenses. The license requirements do not apply to  
23 32 individuals who buy commercial fish or fish parts or roe or  
23 33 roe species for personal consumption or to restaurants, liquor  
23 34 control licensees, or public benefit corporations that buy  
23 35 commercial fish or fish parts, or roe or roe species for  
24 1 retail sale and human consumption on their premises. In  
24 2 addition, a person under 16 years of age is not required to  
24 3 have a commercial fish helper license to assist a commercial  
24 4 fisher.  
24 5 Code section 482.11, concerning turtles, is amended to  
24 6 describe the privileges associated with the taking of turtles,  
24 7 particularly by commercial turtle fisher and turtle helper  
24 8 licensees. The commercial turtle license requirements do not  
24 9 apply to individuals who buy commercial turtles, turtle eggs,  
24 10 or turtle parts from a commercial fisher or commercial turtle  
24 11 fisher for personal consumption; or to restaurants, liquor  
24 12 control licensees, or public benefit corporations that buy  
24 13 commercial turtles, turtle eggs, or turtle parts for retail  
24 14 and human consumption on their premises. In addition, a  
24 15 commercial turtle helper license is not required for a person  
24 16 under 16 years of age to assist a commercial turtle fisher.  
24 17 Code section 482.12, concerning freshwater mussels, is  
24 18 amended to allow a commercial fisher or commercial fish helper  
24 19 licensee to take or possess up to 24 whole freshwater mussels  
24 20 or 48 mussel shell halves, but not to buy, sell, barter, or  
24 21 trade the mussels or their shells. Only mussels designated by  
24 22 rule as legal bait species may be taken pursuant to this  
24 23 provision.  
24 24 Code section 482.14 is amended to describe report,  
24 25 recordkeeping, and inspection requirements pertaining to  
24 26 commercial fishers, commercial turtle fishers, commercial fish  
24 27 buyers, commercial turtle buyers, commercial roe harvesters,  
24 28 and commercial roe buyers.  
24 29 FISHING AND HUNTING LICENSES. Code section 483A.1 is  
24 30 amended to add the licenses for resident boundary waters sport  
24 31 trotline fishing and nonresident boundary waters sport  
24 32 trotline fishing.  
24 33 Code section 483A.1A is amended to add a definition for  
24 34 "boundary waters".  
24 35 New Code section 483A.28 describes the noncommercial  
25 1 harvest of aquatic species. The new boundary waters sport  
25 2 trotline license allows the use of trotlines only on boundary  
25 3 waters. A valid fishing license entitles the licensee to take  
25 4 specified amounts of live and dressed turtles and mussels, as  
25 5 set by rule, but not to sell, barter, or trade them. Code  
25 6 section 805.8B(3) is amended to provide that a violation of  
25 7 this new provision, other than a license violation, is  
25 8 punishable by a scheduled fine of \$25.  
25 9 Code section 805.8B(3)(n) is amended to strike a provision  
25 10 imposing a penalty for sport turtle violations to coordinate  
25 11 with changes made to Code section 482.11(3) and (4).  
25 12 Code section 805.8B(3)(o) is amended to remove the  
25 13 distinction between commercial mussel and sport mussel  
25 14 violations and to provide that any violations of Code section  
25 15 482.12, regulating mussels, are punishable by a scheduled fine  
25 16 of \$100.  
25 17 Code section 483A.25, concerning the pheasant and quail  
25 18 restoration program and related appropriations, is repealed.  
25 19 LSB 2094HC 83  
25 20 av/sc/8